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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/579,598 | 05/17/2006 | Alan Robert Deeks | 209546-103448 | 3565 |

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| EXAMINER |
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NGUYEN, CHI Q

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| ART UNIT | PAPER NUMBER |
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3635

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04/28/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|--------------------------------------|---|--|
| Office Action Summary | Application No. 10/579,598 | Applicant(s) DEEKS, ALAN ROBERT | |
| | Examiner CHI Q. NGUYEN | Art Unit 3635 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 May 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 11-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 May 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This Office action is in response to applicant's patent application filed on 5/17/2006.

Status of Claims

Claims 1-10 have been cancelled by the preliminary amendment filed on 5/17/2006.

Newly filed claims 11-30 are pending.

Claim Objections

Claims 19 and 29 are objected to because of the following informalities: there is missing ending period in the claims. Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 16-17 and 28 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In regarding claims 16 and 28 recite "wherein the frame member comprises material having a first mold characteristic and the layer of material has a second mold characteristic that is at least partially incompatible with the first mold characteristic of the frame member such that the incompatibility substantially defines the shear plane" is confusing. Clarification is required. Claim 17 is depending upon the rejected claim 16 is also rejected.

Claim Rejections - 35 USC § 102

Art Unit: 3635

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 11-30 are rejected under 35 U.S.C. 102(b) as being anticipated by US Pat. No. 5,792,552 to Langkamp et al.

Claim 11:

Langkamp et al. disclose in Figs. 2-13, a cassette, comprising: a frame member 100 having at least two sides interconnected by a cross member 50 /110; and a reinforcement material 14 partially encapsulated by and suspended by the at least two sides of said frame member such that the reinforcement material is positioned at a predetermined location when placed in a mold tool.

Claim 12:

Wherein said frame member 100 includes a spacer lug 44 for positioning said reinforcement material 14 at the predetermined location within the mold tool.

Claim 13:

Wherein the at least two sides are two opposing sides, and wherein the reinforcement material 14 is secured to the two opposite sides of the frame member.

Claim 14:

Langkamp et al. disclose in Figs. 2-13, an interior trim panel, comprising: a layer of material 2, and a cassette disposed within the layer of material, the cassette including a frame member 100 having at least two sides interconnected by a cross member 50/110,

Art Unit: 3635

and a reinforcement material 14 partially encapsulated by and suspended by the at least two sides of said frame member, wherein the reinforcement material 14 is positioned at a predetermined location within the layer of material.

Claim 15:

Further comprising a shear plane 52 located at an intersection of the frame member 100 and the layer of material 10.

Claim 16:

As best understood, wherein the frame member 100 comprises material having a first mold characteristic and the layer of material 10 has a second mold characteristic that is at least partially incompatible with the first mold characteristic of the frame member such that the incompatibility substantially defines the shear plane.

Claim 17:

Wherein the first mold characteristic and the second mold characteristic are fully incompatible because they are made from two different materials.

Claim 18:

Wherein the frame member 110 and the layer of material 10 are bondably attached.

Claim 19:

Further comprising a knife edge 112 on the frame member substantially aligned with the shear plane.

Claim 20:

Wherein the frame member 110 and the layer of material 10 is are not fully bondably attached and define the shear plane.

Art Unit: 3635

Claim 21:

Further comprising an outer cassette member 100B for positioning the reinforcement material outside a tear seam of the trim panel.

Claim 22:

Wherein the cassette further comprises at least one spacer lug 44 for positioning the reinforcement material.

Claim 23:

Wherein the frame member 100 includes two opposing sides, and wherein the reinforcement material 14 is secured to the two opposite sides of the frame member.

Claim 24:

Langkamp et al. disclose an interior trim panel, comprising: a layer of material 10; a reinforcement material 14; and means 100 for partially encapsulating and suspending said reinforcement material to define a cassette such that said reinforcement material is positioned at a predetermined location when placed in a mold tool.

Claim 25:

Wherein the partially encapsulating and suspending means is selected from the group consisting of a frame member 100 and a spine 52 having ribs (Fig. 9).

Claim 26:

Wherein the partially encapsulating and suspending means is a frame member 100 comprising at least two sides interconnected by a cross member 50/110, and wherein said reinforcement material 14 is partially encapsulated by and suspended by the at least two sides of said frame member.

Art Unit: 3635

Claim 27:

Further comprising a shear plane 52 defined at an interface between the partially encapsulating and suspending means 100 and the layer of material 10.

Claim 28:

Wherein the partially encapsulating and suspending means 100 has a first mold characteristic and the layer of material has a second mold characteristic that is incompatible with the first mold characteristic such that the incompatibility therebetween defines the shear plane.

Claim 29:

Further comprising a knife edge 112 on the partially encapsulating and suspending means substantially aligned with the shear plane.

Claim 30:

Further comprising an outer cassette member 100B for positioning the reinforcement material outside a tear seam of the trim panel.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communication from the examiner should be directed to Chi Q. Nguyen whose telephone number is (571) 272-6847. The examiner can normally be reached on Monday-Friday from 7:30 am-4:00 pm.

If attempt to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Chilcot can be reached at (571) 272-6777.

Art Unit: 3635

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pairedirect.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at (866) 217-9197.

/C. Q. N./
Examiner, Art Unit 3635

/Richard E. Chilcot, Jr./

Supervisory Patent Examiner, Art Unit 3635